



**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER RESOURCES DIVISION
PERMIT**

ISSUED TO:

City of Traverse City
Attn: Timothy Lodge, P.E.
400 Boardman Avenue
Traverse City, MI 49684

Permit No.	12-28-0057-P
Issued	October 30, 2013
Extended	
Revised	
Expires	October 30, 2018

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and specifically:

- | | |
|---|---|
| <input type="checkbox"/> Part 301, Inland Lakes and Streams | <input type="checkbox"/> Part 315, Dam Safety |
| <input checked="" type="checkbox"/> Part 325, Great Lakes Submerged Lands | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input checked="" type="checkbox"/> Part 303, Wetlands Protection | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input type="checkbox"/> Part 31, Floodplain/Water Resources Protection | |

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Place fill in an approximately 237 square foot area to allow for creation of a 10-foot wide pedestrian access ramp. Place approximately 5 cubic yards of riprap in an approximately 40-foot long by 2.5-foot wide by 1-foot deep area on the lakeward side of the ramp. Groom and remove roots from an approximately 2,271 square foot area of bottomlands, impacting approximately 1,800 square feet of wetland, then place approximately 42 cubic yards of sand in the same area. Remove approximately 5 tree roots from the adjacent bottomland area, then place approximately 3 cubic yards of sand in immediate root removal areas. Remove approximately 5 cubic yards of broken concrete from a 40-foot long by 20-foot wide area and wood structures from a 20-foot long by 15-foot area. Place two stone markers along the approximately 172-foot long area of the remaining wood structures. Place approximately 18 cubic yards of fill over an existing stormwater discharge pipe and reposition existing riprap at the toe of the new fill. Place approximately 5 cubic yards of riprap along 71 feet the bottomlands. All activities relate to that portion of the West End Beach Trail and Access project site extending to or lakeward of 580.5 IGLD85. All work shall be done according to the attached plans dated October 17, 2013.

A U.S. Army Corps of Engineers permit is required before this work can be conducted.

Water Course Affected: Lake Michigan

Property Location: Grand Traverse County, City of Traverse City, Sections 3/4
Town/Range 27N, 11W, Property Tax No. 28-51-103-021-00

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31, Water Resources Protection, of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.

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- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that Act.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of the MDEQ.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31, and wetland).
- M. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the State (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the State and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from the MDEQ. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to the MDEQ to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent.
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the waterbody are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the MDNR, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
1. All work shall be completed in accordance with the attached plans dated October 17, 2013.
 2. **City of Traverse City CEA** - Authority granted by this permit does not waive permit requirements under the Natural Resource and Environmental Protection Act, Part 91 - Soil Erosion and Sedimentation Control at (231) 922-4467.

3. Authority granted by this permit does not waive any jurisdiction of the U.S. Army Corps of Engineers 313-226-3396, or the need for a federal permit, if required.
4. The authority to conduct the activity as authorized by this permit is granted solely under provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, or federal approval or authorizations necessary to conduct the activity.
5. Prior to the initiation of any permitted construction activities, a "fabric" erosion control fence (straw bales are not acceptable) shall be installed immediately adjacent to the wetland boundary along the entire length of the wetland area within the construction site. This erosion barrier shall be maintained in good working order throughout the duration of the project. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site. The erosion barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
6. Immediately prior to beginning the project the contractor shall evaluate wheeled and tracked vehicles that will be used to work in the water for gas or oil leaks and/or other defects and shall rectify any leaks or defects identified prior to bringing any vehicles into the water.
7. All equipment must be thoroughly cleaned PRIOR to entering and exiting the project site.
8. No activities are authorized in areas exposed by temporary low water periods such as those that occur during storm surges and seiches, except for the relocation of on-site concrete along the wood structures or removal of the concrete along the shoreline.
9. Alteration of the natural shoreline contour is not authorized.
10. Debris removed by grooming equipment including roots and vegetation, animal or fish carcasses, zebra mussel shells, dead vegetation, trash and discarded materials of human-made origin must be placed in an upland location (non-wetland, non-floodplain) site.
11. The fill authorized by this permit may not be used for any other reason than those specified in the permitted activities section.
12. Fill shall consist of inert materials, which will not cause siltation nor contain soluble chemicals or organic matter, which is biodegradable. All fill shall be contained in such a manner as not to erode into any watercourse and/or wetland.
13. Riprap shall consist of stone, rock, or clean broken concrete (containing no protruding steel reinforcement, soil or other fines, asphalt, soluble chemicals, or organic material). Riprap shall be of appropriate weight and dimension necessary to achieve the intended shore protection.
14. Construction pads, haul roads, temporary structures, or other structural appurtenances to be placed on or over bottomlands and /or wetlands are not authorized by this permit and shall not be constructed unless authorized by separate permit or permit revision granted in accordance with applicable law.
15. The issuance of this permit does not convey any right, title or ownership in the state owned, public trust bottomlands of the Great Lakes occupied by fill, docks, seawall, pilings, breakwaters or other structures at the project site.
16. This permit shall be kept posted at the work site in a prominent location at all times for the duration of the project, or until its expiration, and authorizes representatives of the Department to enter upon said property in order to inspect project progress.

- Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

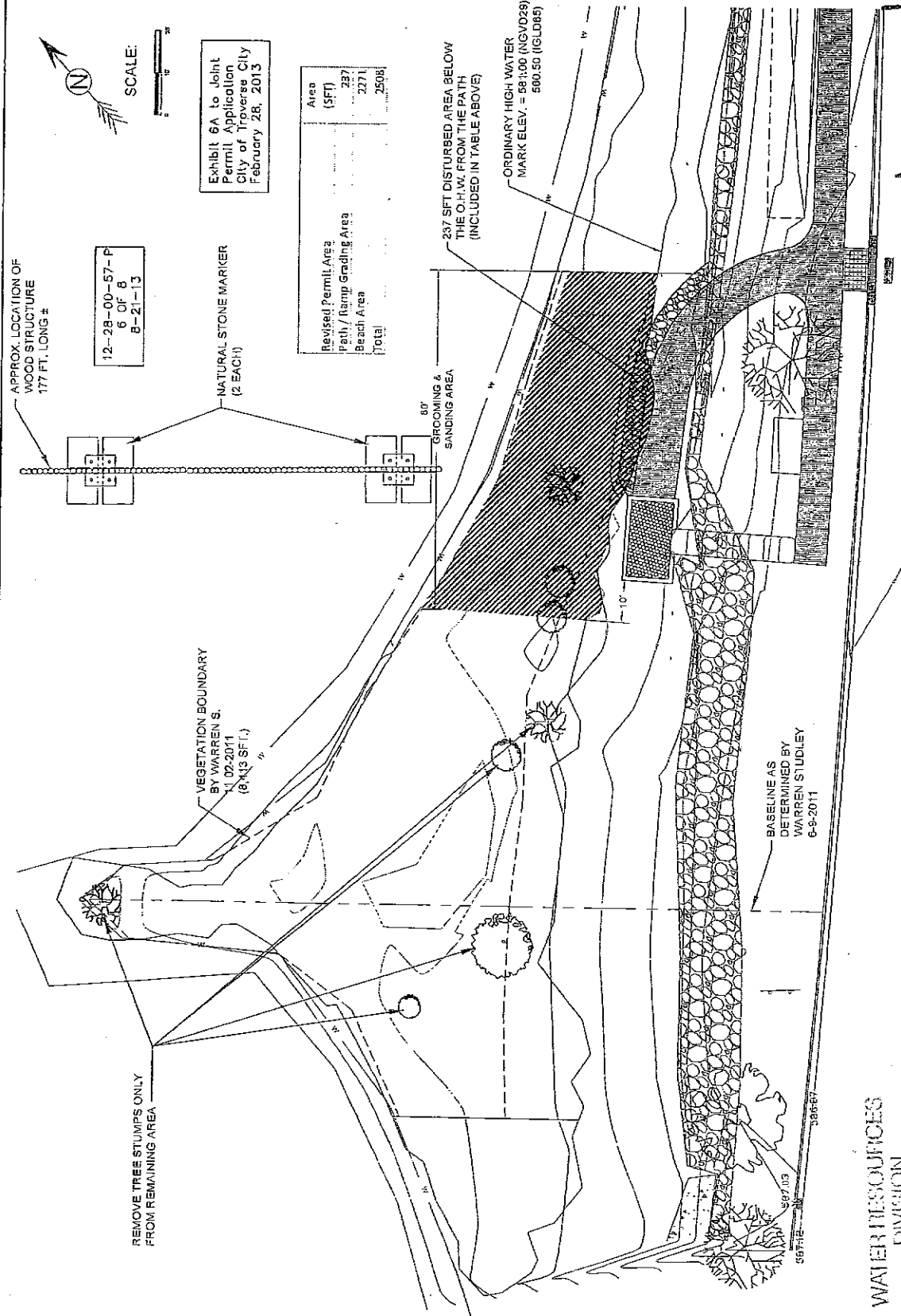
By: Robyn L. Schmidt
Robyn L. Schmidt
Water Resources Division
231-876-4444

Page 4 of 9



CITY OF TRAVERSE CITY
WEST END TRAIL AND CROSSING PROJECT
PROPOSED BEACH GROOMING EXHIBIT

Revision	Date
1	2-28-13
2	6-9-13
3	10-17-13
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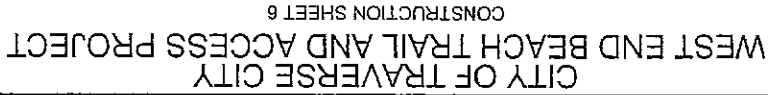


12-28-0057-P
6 of 8
10-17-13

WATER RESOURCES
DIVISION

OCT 15 2013

CADILLAC DISTRICT



Accession Number	Date
REVIEW	12-08-11
REF	12-08-12
GI	01/14/12
PERMIT SET 10/12/12	
Date	12-08-11
Project Name	2012-03
Drawn by	JDM
Scale	1" = 20'
Sheet	5 OF 10

12-28-0057-P
7 of 9
10-17-13

RECEIVED
OCT 24 2012
MDEQ-LWMD
Permit Consolidation Unit

WATER RESOURCES
DIVISION

OCT 31 2012

CADILLAC DISTRICT

FOUND PROPERTY CORNER

1. RINGING ALARM

2. 3RD FLOOR

3. GAS BOX

4. UTILITY POLE

5. BOY NAME

6. WATER VALVE

7. MEDICINE BOX

8. ELECTRIC RUBBER

9. TELEPHONE BLEND BOX

10. FIRE (POUND)

11. CATHAMEN

12. MEDICINE CENTER CATHAMEN

13. STEEL CATHAMEN

14. BANGKOK BANGKOK

15. DECIDUOUS TREE

16. CONIFEROUS TREE

17. TREE LINE

A BOUNDARY MARK 1212
TOP OF "A" OF THE
BOUNDARY MARK 1212
OF "A" OF THE
BOUNDARY MARK 1212
OF "A" OF THE
BOUNDARY MARK 1212

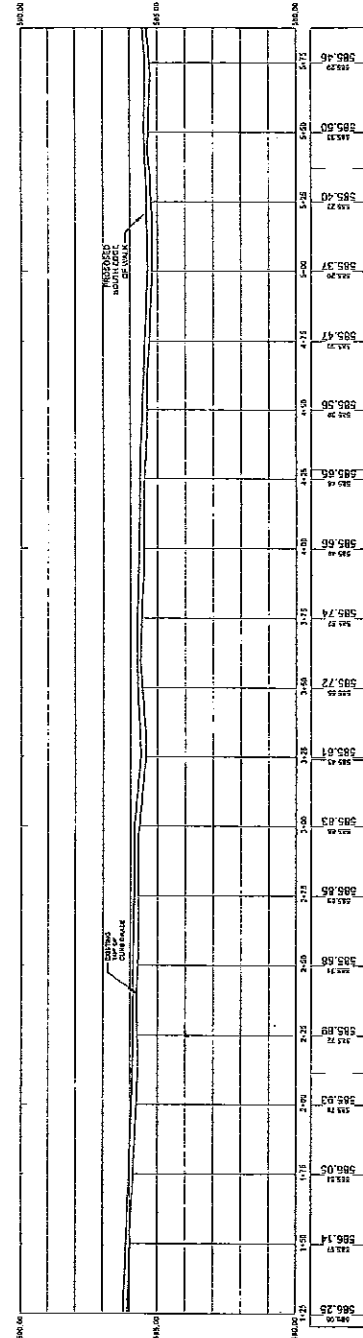
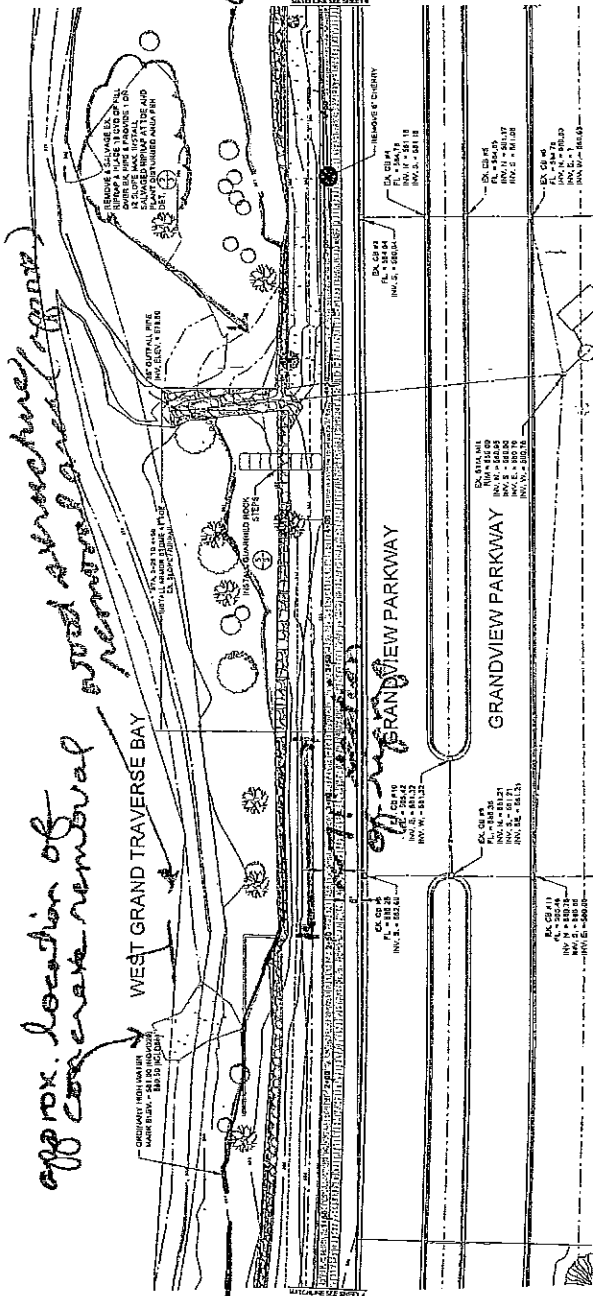
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SCALE: 1"=20'

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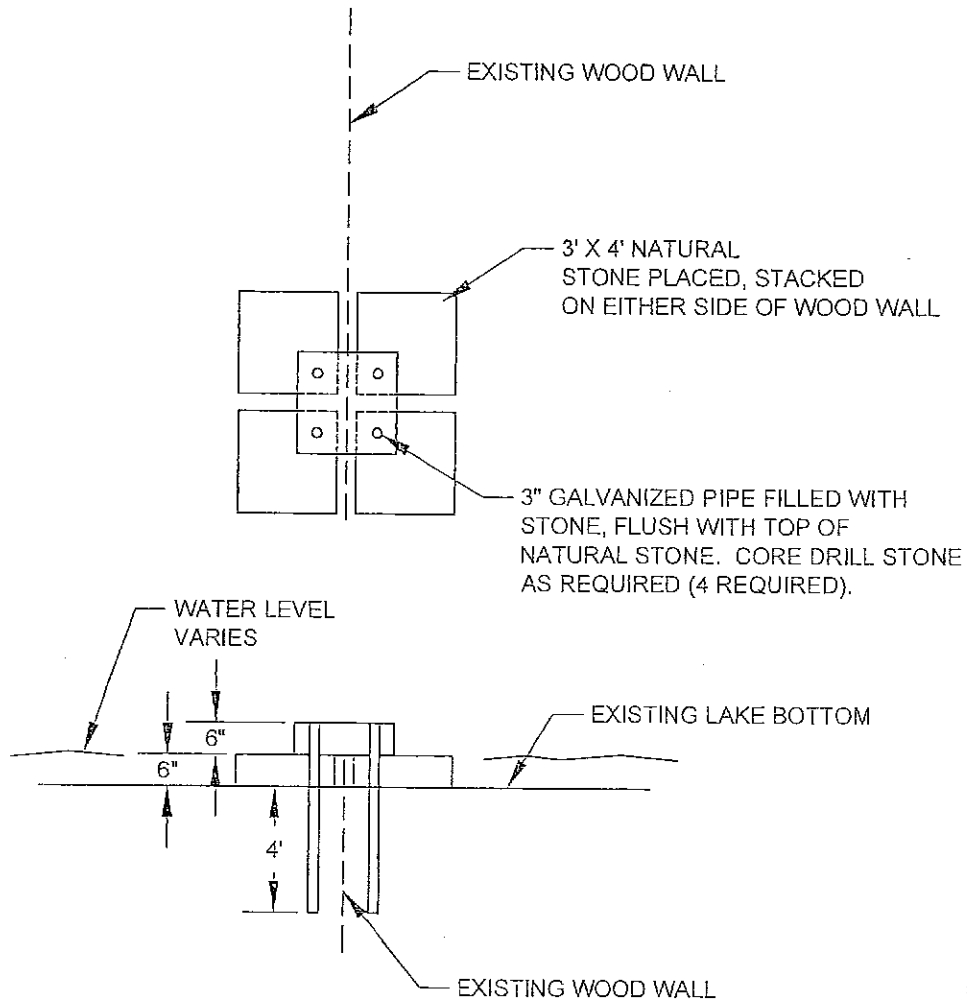


SCALE: N, 1" = 20'; V, 1" = 2'

12-28-0057-P

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10-17-13



WATER RESOURCES
DIVISION

OCT 15 2013

CADILLAC DISTRICT



The City of Traverse City
Engineering Department
GOVERNMENTAL CENTER
400 Boardman Avenue
Traverse City, Michigan 49684
(231) 922-4461

DRAWN BY: JDM

APP. BY: TJL

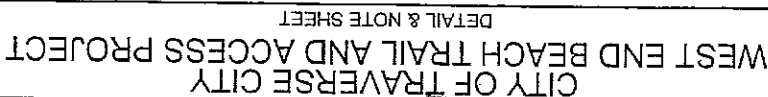
DATE: 10-11-13

REVISION #

APPROVED BY:

DATE:

DETAIL #



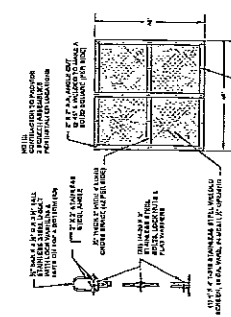
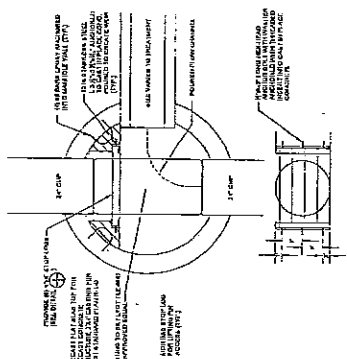
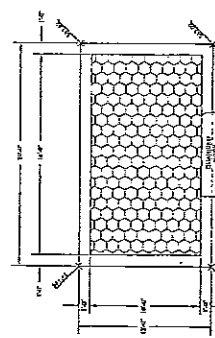
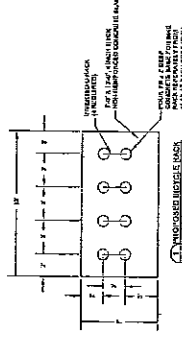
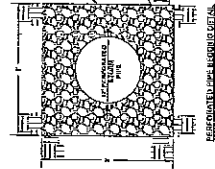
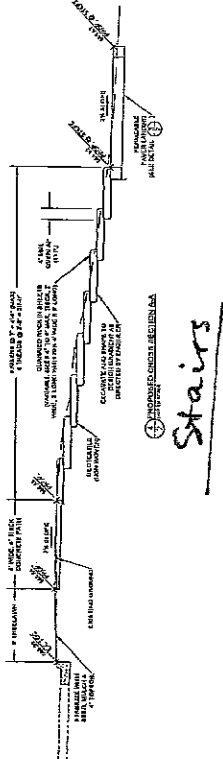
Exhibit/Doc No.	Date
EWEN	12/06/11
FE	1/04/12
I	01/14/12
PERMIT 561	10/12/12
12-08-11	
2012-03	
JDM	
AS NOTED	
2 OF 10	

[illegible]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED, EXCEPT WHERE SHOWN OTHERWISE, AND IS RELEASED TO THE PUBLIC. DATE 01-17-2013 BY 60322 UCBAW

THE CONTRACTOR SHALL PERFORM ALL WORKS AND SERVICES DURING THE DURATION PERIOD OF ONE (1) YEAR IN AN ADDITIONAL COST TO THE CITY OF HARLEIGH CITY.

CRATING & PACK SHOWN ON THE CONTRACT SHALL BE REMAIN. IF PLACED IN CRATED DURING CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE TO RE-UNCRATE AND REPACK. IF REQUIRED, ALL CRATES SHALL BE OPENED DURING CONSTRUCTION AND SHALL BE CONSIDERED REUSEABLE. IT IS THE PROPERTY OF THE CITY OF HARLEIGH CITY.



REPORT

RECEIVED
OCT 24 2012
MDEQ-LWMD
Permit Consolidation Unit

MDEQ-LWMD
Permit Consolidation Unit

700' DIA. WYER STREET LINE DIST.

ENCLOSURE, KNOWN AS "TRAINING" TO